

REMARKS

Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

Claims 1-31, 34, 35, 40-45 and 41-61 are pending in this application. Claims 1, 4, 26, 27, 29, 40, 47, 51, and 53-55 have been amended. Claims 2, 41, and 52 have been canceled without prejudice.

Claims 1, 40, and 52 have been amended to add an additional limitation of a step of adding a magnesium compound to form a magnesium containing layer on previously deposited layers. Support for this change is found in the original claim 25 and in the specification.

The office action states that Claims are rejected under Section 35 U.S.C. 112 as being indefinite. Examiner states that matter is not described in the specification so that a person of skill in the art is enabled to make or use the invention.

Applicant states that "no significant amount" means, as noted in a previous communication, for the person skilled in the art an amount which does not modify the properties of the material (here: the optical, stability and processing properties of the pigment). Applicant feels that such a statement is well understood by one of skill in the art and does not need to be explained in the specification.

Note that the phrase "insignificant amount of zirconium" appears in originally filed claim 46, and hence the specification could be amended to include the phrase if Examiner so insists, and no new matter would be introduced.

Examiner objects that claims 6 and 7 are missing periods. Apparently, a space was entered between the last word and the periods in those claims in the last action. Applicant has deleted the space, and states that such an action is not considered an amendment of the claims. Examiner is respectfully requested to enter an Examiner's amendment if this is not the case.

Examiner has stated that claims 2, 6, 7, 16-22 and 25 - 31 would be allowable if rewritten to overcome the 112 rejections and include all limitations of parent claims. Examiner states that the cited references do not teach the addition of a magnesium compound.

Claim 2 does not teach the addition of a magnesium compound, and hence Applicant has

amended claim 1 to include both the added limitation of claim 2, and the added limitation of magnesium. Applicant states that claim 1, as amended, is therefore allowable. Claims dependent on claim 1 are likewise allowable. In addition, claims dependent on amended claim 1 are innovative over their respective parent claims and are separately allowable.

Examiner has stated that claims 41, 43, 47, 49, and 53-61 are objected to as depending on a rejected base claim, but would be allowable if rewritten.

Applicant has rewritten claim 40 to include the same added claim elements as were added to claim 1 to make claim 1 allowable. Thus dependent claims on claim 1 are also allowable.

52 and its dependent claims, amended in the same way as claim 1 and claim 40, are likewise allowable.

Applicant states that claim 55 is an independent claim, and that claim 55 and its dependent claims already included the addition of the magnesium compound, and is allowable.

No additional fee is required. The required fees and any insufficiency or overage (except issue fees) may be debited or credited to deposit account 08/2240. A signed deposit account authorization is on file for this case.

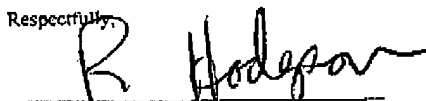
On the basis of the above amendments and remarks, reconsideration of this application and its early allowance is respectfully requested.

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8(a) and (b), 37CFR 1.86(f)-

I hereby certify that the following attached correspondence comprising Response and Amendment is being sent by facsimile transmission to Commissioner of Patents, Alexandria, VA 22313-1450 FAX NUMBER 571-273-1800 on March 8, 2006

822 Pinesbridge Road, Ossining, NY 10562.
914-914-302-6503 (Fax 914-762-4126)
E-MAIL: - patents@iaip.org

Respectfully,



Rodney T. Hodgson Agent # 37,849